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**RESOLUTION NO. 04-518**

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF **STORM WATER DRAIN NO. 204 (SOUTH OF 21ST, EAST OF 127TH STREET EAST) 468-83625** IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF CONSTRUCTING **STORM WATER DRAIN NO. 204 (SOUTH OF 21ST, EAST OF 127TH STREET EAST) 468-83625** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO- WIT:

SECTION 1. That Resolution No. **03-392** approved on **July 15, 2003**, is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to construct **Storm Water Drain No. 204 (south of 21st, east of 127th Street East) 468-83625** in the City of Wichita, Kansas.

SECTION 3. That the cost of said improvements provided for hereof is estimated to be **Eight Hundred Eighty-Eight Thousand Dollars (\$888,000)**, exclusive of the cost of interest on borrowed money, with **100 percent** payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **April 1, 2003**.

SECTION 4. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

**REED'S COVE ADDITION**

Lots 1 through 40, Block 1;  
Lots 1 through 69, Block 2;  
Lots 1 through 33, Block 3;

**REED COMMERCIAL ADDITION**

Lots 1 through 5, Block 1;

**REED'S COVE 2ND ADDITION**

Lot 1, Block 1;  
Lot 1, Block 2;  
Lot 1, Block 3;

Lot 1, Block 4;

**REED'S COVE 3RD ADDITION**

Lots 1 through 29, Block A;

Lots 1 through 18, Block B;

SECTION 5. That the method of apportioning all costs of said improvements attributable to the owners of land liable for assessment shall be on a **fractional basis**.

Lots 1 through 28, Block 1; Lots 1 through 16, Block 2; Lots 59 through 69, Block 2; Lot 1, Block 3; Lots 14 through 18, Block 3; Lot 33, Block 3; Lot 1, Block 1; Lot 1, Block 2; Lot 1, Block 3; and Lot 1, Block 4; within Reed's Cove and Reed's Cove 2nd Addition respectively shall each pay 27/10,000 of the total cost payable by the improvement district. Lots 29 through 39, Block 1; within Reed's Cove Addition shall each pay 17/10,000 of the total cost payable by the improvement district. Lot 40, Block 1, within Reed's Cove Addition shall pay 113/10,000 of the total cost payable by the improvement district. Lots 17 through 22, Block 2; within Reed's Cove Addition, shall each pay 15/10,000 of the total cost payable by the improvement district. Lots 23 through 35, Block 2; Lots 40 through 58, Block 2; Lots 2 through 13, Block 3; and Lots 23 through 26, Block 3; within Reed's Cove Addition shall each pay 3/10,000 of the total cost payable by the improvement district. Lots 36 through 39, Block 2; within Reed's Cove Addition shall each pay 1/10,000 of the total cost payable by the improvement district. Lots 19 through 22, Block 3; and Lots 27 through 32, Block 3; within Reed's Cove Addition shall each pay 6/10,000 of the total cost payable by the improvement district. Lot 1, Block 1, within Reed Commercial Addition shall pay 1236/10,000 of the total cost payable by the improvement district. Lots 2 through 5, Block 1, within Reed Commercial Addition shall each pay 92/10,000 of the total cost payable by the improvement district. Lots 1 through 29, Block A; and Lots 1 through 18, Block B; within Reed's Cove 3rd Addition shall each pay 128/10,000 of the total cost payable by the improvement district.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 6. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 8. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the

improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 9. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, September 21, 2004.

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CARLOS MAYANS, MAYOR

ATTEST:

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KAREN SUBLETT, CITY CLERK

(SEAL)